

REMARKS

Claims 54-62, 64-68, 71-76, 78, 82-89, 91-92, 98, 100-104 and 106-132 are herein amended. None of the pending claims are herein cancelled. No new claims are herein presented. Thus, claims 54-132 remain pending in the application.

Specification Objections

The Office Action objected to the specification under 37 CFR 1.75, alleging that:

there was no mention of the computer-readable medium/ or medium in the specification. In this instance, applicant has failed to provide antecedent basis for the claim terminology “computer readable medium”.

Applicant respectfully disagrees. First, any person of ordinary skill would understand that “computer-readable medi[a] storing program instructions” are at least inherently disclosed in the specification by Applicant’s teaching of a real-time social network involving *computer systems* and *servers*, e.g., at page 11, lines 15-22 and in Figure 1C. Second, Applicant’s specification clearly teaches “computer program product[s]”, e.g., at page 6, lines 22-23:

[i]t is therefore desirable that an improved method, system and *computer program product* be provided for enabling personalized information to be generated and conveyed to users.”

Third, Applicant’s original claims 11-13, which are part of the originally filed specification of the present application, each recite a “computer program product ..., wherein said computer program product is embodied on a *computer usable medium* and includes *program logic*” Thus, it is amply clear that the “computer-readable media storing program instructions” are inherently and explicitly disclosed in the as-filed specification.

112 Rejections

Claim 54 was rejected under 35 U.S.C. Section 112, first paragraph as failing to comply with the written description requirement relative to the recitation in that claim of:

- (a) “the received content from each of the at least two business entities includes an associated time value” and
- (b) “wherein the received content from each of the at least two business entities was selected by the service to be made accessible via the first account ... based on

the associated time value satisfying one or more time-based criteria specified by the [] service”.

Applicant respectfully traverses this rejection. Subject matter upon which these recitations read is described in the specification at least at page 19, lines 2-4, in the decision block (bearing the caption “date=today”) in each of Figures 4, 5 and 6, and in the timestamp illustrated in Figure 12.

Each of claims 55, 56, 73, 84, 85 and 104 was rejected under 35 U.S.C. Section 112, first paragraph as failing to comply with the written description requirement based on its recitation of features similar to features (a) and (b) quoted above with regard to claim 54. Applicant respectfully disagrees with these rejections. In each of these claims, subject matter upon which these recitations read is described in the specification at least at page 19, lines 2-4, in the decision block (bearing the caption “date=today”) in each of Figures 4, 5 and 6, and in the timestamp illustrated in Figure 12.

Each of claims 54, 55, 56, 73, 84 and 85 was rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. In particular, the Examiner alleges that the recitation of “the service” (or “said service”) in each of these claims did not have sufficient antecedent basis. Applicant respectfully disagrees. In each of these claims, Applicant believes it is abundantly clear that “the service” refers to the previously recited “information distribution service”. However, in order to expedite the case towards an allowance, Applicant has amended the claims to change all occurrences of “the service” and “said service” respectively to “the information distribution service” and “said information distribution service.”

Art-Based Rejections

Claim 54-132 were rejected under 35 U.S.C. § 103(a) as being unpatentable based on various combinations of Star (2002/0062270), Buist (6,408,282), KoTob (2001/0013547), Rubin et al. (6,735,624), Steven (6,327,570), and Huang (2003/0097361). Applicant respectfully traverses these rejections based on the following reasoning.

Claim 54 recites:

wherein the received content from each of the at least two business entities includes an associated time value, and wherein the received content from each of the at least two business entities was selected by the information distribution

service to be made accessible via the first account upon the request being validated and based on the associated time value satisfying one or more time-based criteria specified by the information distribution service.

The Examiner admits that Star does not teach or suggest these features, and instead relies on Buist and what is referred to as that reference's "real-time criteria" and "real-time stock quotes". See Office Action at page 9, last paragraph. Applicant submits, however, that Buist does not remedy the deficiencies of Star with respect to at least the above-noted features. While Buist discloses providing "real time" information to users (e.g., in the Abstract and at Col. 6, lines 32-36), there is no teaching or suggestion in that reference of an "information distribution service" "select[ing]" "received content" "to be made accessible via [a] first account" "based on [an] associated time value [included in the received content] satisfying one or more *time-based* criteria", as claimed. Applicant notes that the term "real-time" generally implies the imposition of a limit on the latency of transmissions between a source and destination. The term "real-time", in and of itself, suggests nothing regarding "select[ing]" "content" "based on [an] associated time value satisfying one or more time-based criteria."

Even more fundamentally, however, Buist's "real-time" information cannot be properly identified with the "content" of claim 54, which "includes personal, non-public content that relates to the first user and is not provided by the business entity to other accounts of the information distribution service." On the contrary, Buist's system is configured to permit user's to trade securities with each other (Buist Abstract), and thus, is specifically configured to widely disseminate buy and sell orders from a user to other users (Col. 6, lines 35-48). One of skill in the art would have absolutely no motivation to modify Buist so as to include "personal, non-public content that relates to [a] first user" in a buy order or sell order because that order would be viewable by the whole community of users who subscribe to Buist's system.

In addition, Claim 54 recites in pertinent part:

sending, via a public network, a first set of information *identifying a plurality of business entities to an information distribution service*, wherein said first set of information is received via a first account of the information distribution service that is associated with a first user, and wherein said first set of information is usable by the information distribution service to associate said plurality of business entities with said first account, wherein said associating permits the plurality of business entities to provide content that is accessible via the first

account of the information distribution service.

These features are not suggested in any of the cited references or any combination of the cited references. The Examiner relies on Star to teach these features. In particular, the Examiner equates the “identifier information such as a user name, company name and a password provided by the subscriber” as part of the “control access process” (see Star Paragraph 26) with the claimed “information identifying a plurality of business entities.” Note that the “company name” referred to in Star is the name of the “small business entity” of which the subscriber is a representative, not the name of a “business entity” with which the “subscriber” or the “small business entity” is to be “associated.” While Star’s “identifier information” is usable by the “access control process” to “determine whether the company name, user name and password indicate that the subscriber has a valid account on the server 14” (paragraph 26, last line), Star does not teach or suggest that this information is used or is usable to “associate [a] plurality of business entities” with the subscriber. Applicant submits that, more generally, Star includes no teaching or suggestion regarding the “association” of “business entities” and “users” in its system, and certainly not in the manner recited in claim 54.

Thus, claim 54 and its dependents are patentably distinct over the cited references at least for the reasons given above.

Claims 55, 56, 73, 84, 85 and 104 each recite features similar to the above-recited features of claim 54. Thus, these claims and their dependents are patentably distinct over the cited references based on similar reasoning.

Claim 56 recites, “wherein the first and second messages ... each include an indication of a *time-based priority* of the message.” This feature is never suggested in any of the cited references or any combination of the cited references. The Examiner relies on Buist to teach this feature. In particular, the Examiner identifies the claimed “messages ... each includ[ing] an indication of a time-based priority of the message” with the “real-time stock quotes” of Buist. (Office Action, page 15, first paragraph). However, Buist never suggests that the “real-time stock quotes” include “an indication of a time-based priority” of the stock quote. As noted above, the term “real-time” generally implies the imposition of a limit on the latency of transmissions between a source and destination. The term “real-time”, in and of itself, suggests

nothing regarding a “message[] includ[ing] an indication of a time-based priority of the message.”

Thus, claim 56 is additionally distinguished over the cited references. Claims 55, 73, 84, 85 and 104 each recite a feature similar to the above-recited feature of claim 56. Thus, these claims and their dependents are additionally distinguished over the cited references based on similar reasoning.

Dependent claim 113 recites “wherein the information distribution service *facilitates voting* by users of the information distribution service.” The Examiner relies on Kotob to teach this feature. While Kotob discloses an “automated voting system” (Kotob Abstract), Applicant believes one skilled in the art would have no motivation to modify Star and Buist to “facilitate[] voting by users”. Star’s system is configured to allow a “small business owner to manage a plurality of different *financial* accounts and to perform a number of different *financial transactions*” (Star Abstract). Buist’s system allow of user’s to *trade securities* with one another (Buist Abstract). The Examiner merely states without explanation that “it would have been obvious ... to combine ... in order to increase benefits to users” (Emphasis added). Applicant respectfully disagrees. Applicant sees no benefit or logic in being able to vote on a “financial transaction” or on a “user-to-user” “trade [of] securities.” Thus, Claim 113 is believed to be patentably distinct over the cited references for this additional reason. Claims 71, 82, 92, 110, 116, 119, 122, 125, 128 and 131 each recite a feature similar to that recited in claim 113, and thus, are believed to be similarly distinguished over the cited references.

Dependent claim 80 recites “wherein said first plurality of business entities includes one or more types of the following types of entities: manufacturers, retailers, government agencies, nonprofit entities, sports franchises.” This feature is not suggested in any of the cited references or any combination of the cited references. The Examiner’s only assertion regarding claim 80 is that “[this] claim[] is rejected under [the] rationale of claim 56.” However, the rationale given in the Office Action for claim 56 mentions nothing regarding the subject matter of claim 80. Applicant notes there is no evidence in any of the cited references to suggest that Star’s “financial service providers” or Buist’s “broker/dealer systems” are “manufacturers”, “retailers”, “government agencies”, “nonprofits entities”, or “sports franchises”. Thus, Claim 80 is believed

to be patentably distinct over the cited references for this additional reason. Claim 68 is similarly distinguished over the cited references.

Dependent claim 65 recites “wherein said additional content included in the report for the first account includes weather information based on location information specified by said first user to the information distribution service.” The Examiner acknowledges that none of Star, Buist or Kotob discloses this feature, and instead relies on Rubin. However, one skilled in the art would have no motivation to modify the proposed combination of Star, Buist and Kotob to facilitate the provision of “weather information based on location information specified by the user” as claimed. First, the interest of Star’s “small business owner” is in the “manage[ment] of different financial accounts and services” (Star Abstract), not in the having his/her representatives distracted from their job-related functions (e.g., executing a “financial transaction” on behalf of the small business) with “weather information”. Second, Buist’s system is concerned with providing users with the ability to perform “user-to-user trading capabilities” (Buist Abstract). In this content, Applicant believes that the provision of “weather information” would be a distraction, not a benefit to Buist’s traders. Third, Kotob discloses “an automated voting system comprising single or multiple voting stations for controlling and being a voting station simultaneously”. For a person voting in an election (e.g., a political election as suggested in Kotob Figure 1), the provision of “weather information” would be an unwanted distraction. Thus, claim 65 is believed to be patentably distinct over the cited references for this additional reason. Claim 68 is similarly distinguished over the cited references. Claims 77 and 99 are similarly distinguished over the cited references.

Dependent claim 102 recites:

wherein the first plurality of messages includes a first message whose associated time value indicates the *day* on which the first message is received by the information distribution service, and wherein the one or more time-based criteria specified by the information distribution service includes whether a given message *has an associated time value that corresponds to the current day*.

These features are not suggested in any of the recited references or any combination of the cited references. The Examiner’s only assertion regarding claim 102 is to say that “This claim is rejected under [the] rationale of claim 58.” (See page 17 of the Office Action). However, the

Examiner's only comment regarding claim 58 is the following: "Star-Buist discloses a method as discuss[ed] in claims 56, 85, which further includes convey report in response to logging: (Buist: figure 18)." In particular, the Examiner's argumentation regarding claim 58 is silent regarding the feature recited in Claim 102. Thus, the Office Action has not addressed any argument directed to claim 102. Therefore, claim 102 is believed to be patentably distinct over the cited references for this additional reason.

Numerous other dependent claims are believed to be patentably distinct over the cited references. However, given the fact that all independent claims are believed to be in condition for allowance, it is not believed necessary to address the other dependent claims at this time.

CONCLUSION:

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-71800/MKB.

Respectfully submitted,

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